

REMARKS

In view of the above amendments and following remarks, reconsideration of the rejections contained in the Office Action of July 28, 2005 is respectfully requested.

It is initially noted that a number of minor formal changes have been made to the specification for the sake of form and consistency with the claim language.

In the Office Action, the Examiner rejected claims 1-19 as being unpatentable over Criss et al., U.S. Patent Publication 2001/0029178 (Criss). By the above amendments, however, original claims 1-19 have been canceled and replaced with new claims 20-35. All of these claims clearly distinguish over Criss.

The present invention has the object of providing a system which enables installation of a control program in a semiconductor manufacturing system by transmission of the control program over a communication circuit without interfering with the operation of the semiconductor manufacturing system. In particular, the quality of the substrates which are the product of the semiconductor manufacturing system is assured by determining that, when the semiconductor manufacturing system is performing a process for growing a film on a substrate, the control program cannot be changed.

This aspect is reflected in each of the independent claims. For example, claim 20 recites a system in which a determination unit is operable to determine a time when a previously installed control program can be changed wherein a time when the semiconductor manufacturing system is performing a process event for growing a film on a substrate that is undergoing processing is not a time when the control program can be changed. The same aspect is reflected by method claim 22, claim 24 directed to the administrative server, claim 26 directed to the semiconductor manufacturing system controller and claim 28 directed to the semiconductor manufacturing system. Each of these independent claims thus distinguishes over Criss.

Criss is directed to a cellular wireless communication system in which a mobile device wirelessly updates operating software if the operating software is not the current version. Software upgrades are wireless transmitted to a mobile device based on a determination of whether such an

upgrade is necessary. The mobile device includes a software update schedule table for providing times at which the mobile device is to inquire and obtain available software upgrades.

However, as the Examiner acknowledges, Criss does not relate to a semiconductor manufacturing system. The Examiner references section 3 of Criss in that wireless communication systems have been put to use in manufacturing facilities. However, this does not address the specifics of a semiconductor manufacturing system.

In the present invention, in each of the independent claims, there is the requirement that when the semiconductor manufacturing system is performing a process event for growing a film on a substrate under processing, such may not be determined as a time when the control program can be changed. This aspect specifically relates to semiconductor manufacturing systems, and is not one disclosed or suggested by Criss.

Accordingly, it may be seen that all of the claims in the present application clearly distinguish over Criss. Indication of such is respectfully requested.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance, and the Examiner is requested to pass the case to issue. If the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact Applicant's undersigned representative.

Respectfully submitted,

Minoru NAKANO

By: 

Nils E. Pedersen
Registration No. 33,145
Attorney for Applicant

NEP/krp
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
December 28, 2005